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FISCAL IMPACT STATEMENT

LS 6790

BILL NUMBER: HB 1186

NOTE PREPARED: Mar 9, 2012

BILL AMENDED: Mar 8, 2012

SUBJECT: Emergency Medical Services Personnel.

FIRST AUTHOR: Rep. Brown T

FIRST SPONSOR: Sen. Miller

BILL STATUS: Enrolled

FUNDS AFFECTED: X GENERAL
X DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: *Emergency Rules-* The bill authorizes the Indiana Emergency Medical Services Commission (EMSC) to implement an emergency services personnel certification program through emergency rules.

Licensing of Paramedics- The bill provides for the licensure of paramedics by the EMSC. (Current law provides for the certification of paramedics by the EMSC.)

Renames EMT Levels- The bill renames "emergency medical technician-intermediate" as "advanced emergency medical technician". The bill deletes the term "emergency medical technician-basic advanced". The bill renames "first responders" as "emergency medical responders".

Other Provisions- The bill requires that an emergency medical dispatcher must have completed training that meets specified standards and removes language in which the commission certified an emergency medical dispatch agency.

Two-Year Grace Period- The bill allows an individual who is currently certified as: (1) an emergency medical technician-basic advanced; or (2) an emergency medical technician-intermediate; two years to comply with new certification requirements for emergency medical services personnel.

Respiratory Care Practitioners- The bill provides that certain provisions relating to the unlawful or unauthorized practice of medicine do not apply to respiratory care practitioners practicing respiratory care.

Study Commission Topic- The bill requires the Health Finance Commission to study during the 2012 legislative interim issues concerning the licensing of paramedics.

Conforming Changes- The bill makes conforming changes.

Effective Date: Upon passage; July 1, 2012.

Explanation of State Expenditures: *Emergency Rules-* The bill would give the EMSC the option to implement rules to establish a certification program for the regulation of emergency service personnel. Rule adoption is a normal function of the EMSC. Therefore, the EMSC would likely be able to adopt emergency rules within regularly scheduled business meetings. Any emergency rule established would expire on the later of either July 1, 2014, or the date permanent rules are adopted. Any impact on state expenditures would depend on the level of regulation required by the EMSC and the Indiana Department of Homeland Security (DHS) as established by rule.

If additional funds and resources were required to implement this provision, they could be supplied through existing staff and resources currently being used in another program or with new appropriations. Ultimately, the source of funds and resources required to satisfy the requirements of this bill will depend on further administrative and perhaps legislative actions. Any costs to the DHS that come out of emergency or permanent rules may be mitigated by the requirement within the bill that an emergency medical dispatcher would have to show proof of completion of training that meets or exceeds the standards of the National Highway Traffic Safety Administration (*Emergency Medical Dispatch Program Implementation and Administration Managers Guide*, as in effect July 1, 2012).

Licensing of Paramedics- The EMSC currently certifies paramedics and would likely be able to administer paramedic licensing within their existing level of resources. The EMSC is scheduled for six regular and six technical advisory committee meetings during CY 2012. Application forms would have to be changed to reflect licensing instead of certification. However, with the availability of forms online, changes would likely not result in large printings of hard copy application forms. The EMSC would be able to utilize emergency rules procedures under IC 4-22-2-37.1 for initial rules for paramedic licensing. These rules would be superseded by any permanent rule established under IC 4-22-2.

Other Provisions- According to the DHA, removal of EMSC certification of emergency medical dispatch agencies would not generate any impact to state expenditures, since the EMSC has not established a certification program due to the cost on agencies seeking certification.

Study Commission Topic- The Health Finance Study Commission would be able to study the topic of paramedic licensing within the scope of regular meetings of the Commission.

Explanation of State Revenues: *Licensing of Paramedics-* The bill does not specify a fee for licensing paramedics. Therefore, independent administrative action by the EMSC would be necessary to establish a licensing fee. (The EMSC currently does not charge a fee for the *certification* of paramedics. Although, there is a late reinstatement fee of \$50.) The EMSC has statutory authority to establish a fee for the certification of EMS personnel under IC 16-31-3-12. The bill would allow a fee to be charged for licensing under this statute. Any fee revenue generated by licensing of paramedics would depend on the fee established and the number of persons applying for a license. Licensing revenue would be placed in the Emergency Medical Services Fund.

Other Provisions- See Explanation of State Expenditures.

Class C Misdemeanor- A person claiming to be licensed under the statute for paramedic services and is not licensed would commit a Class C misdemeanor. If additional court cases occur and fines are collected, revenue to both the Common School Fund (from fines) and the state General Fund (from court fees) would increase. The maximum fine for a Class C misdemeanor is \$500. However, any additional revenue would likely be small.

Two-Year Grace Period- This provision may reduce the amount of revenue generated by re-certification fees for a two-year period as persons may need additional training to be certified as emergency medical responders. Currently, the fee is \$50 to renew an application for certification.

Background Information- The Department of Homeland Security has record of approximately 3,000 paramedic certifications in Indiana. The Bureau of Labor Statistics reports there were 5,680 EMTs and paramedics employed in Indiana during 2010.

Explanation of Local Expenditures: *Class C Misdemeanor-* A Class C misdemeanor is punishable by up to 60 days in jail.

Explanation of Local Revenues: *Class C Misdemeanor-* If additional court actions occur and a guilty verdict is entered, local governments would receive revenue from court fees. However, any change in revenue would likely be small.

State Agencies Affected: EMSC under the Indiana Department of Homeland Security.

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources: Mara Snyder, Indiana Department of Homeland Security; U.S. Bureau of Labor Statistics OES Report, May 2010; 836 IAC 4-9-4.

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